

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, DECEMBER 11, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Suzanne F. Harsel, Braddock District  
Ronald W. Koch, Sully District  
Ilyong Moon, Commissioner At-Large  
Linda Q. Smyth, Providence District

ABSENT: Janet R. Hall, Mason District  
John B. Kelso, Lee District  
Peter F. Murphy, Jr., Springfield District  
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**COMMISSION MATTERS**

Commissioner Koch, to allow more time for staff review, MOVED THAT RZ-2002-SU-028 AND SE-2002-SU-033, P-Q, LLC, BE DEFERRED, FOR PUBLIC HEARING, UNTIL JANUARY 8, 2003.

Commissioner DuBois seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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Commissioner DuBois, to allow time for the Commission to review revised development conditions, MOVED THAT SE-2002-DR-012, BETTY MEADOWS, BE FURTHER DEFERRED, FOR DECISION ONLY, TO A DATE CERTAIN OF DECEMBER 12, 2002.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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Commissioner DuBois announced her intention to defer the following two public hearings scheduled for tomorrow, December 12, 2002. She added that new dates would be announced tomorrow night.

2232-D02-19 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY  
SE-2002-DR-026- WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY  
2232-D02-4 - VERIZON WIRELESS  
SEA-97-D-020 - VERIZON WIRELESS

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Commissioner Byers MOVED THAT WE FURTHER DEFER THE DECISION ONLY ON APR-02-IV-4MV, AREA PLANS REVIEW, INDEFINITELY.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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2232-V02-5 - FAIRFAX COUNTY PARK AUTHORITY (Decision Only)  
(The public hearing on this application was held on November 13, 2002. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND THAT 2232-V02-5 BE FOUND SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Koch seconded the motion which carried by a vote of 5-0-3 with Commissioners Alcorn, Harsel and Smyth abstaining; Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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#### ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ-2002-HM-009 - BRADFORD WHITE AND ASSOCIATES LC  
FDP-2002-HM-009 - BRADFORD WHITE AND ASSOCIATES LC
2. CSP-C-696 - DSV DULLES FOX MILL
3. 2232-D02-29 - VERIZON WIRELESS
4. RZ-2002-BR-017 - EASTWOOD PROPERTIES  
FDP-2002-BR-017 - EASTWOOD PROPERTIES

This order was accepted without objection.

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RZ-2002-HM-009/FDP-2002-HM-009 - BRADFORD WHITE & ASSOCIATES LC - Appls. to rezone from R-1 to PDH-2 to permit residential development at a density of 1.69 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the N. side of West Ox Rd. opposite the terminus of Gatepost La. on approx. 7.7 ac. of land. Comp. Plan Rec: 1-2 du/ac. Tax Map 35-2 ((1)) 6 and 7. HUNTER MILL DISTRICT. PUBLIC HEARING.

Ms. Jane Kelsey, agent for the applicant, reaffirmed the affidavit dated October 17, 2002. There were no disclosures by Commission members.

Mr. Fran Burnszynski, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report and addendum, copies of which are in the date file. He noted that staff recommended approval of the application.

Commissioner de la Fe noted that a staff addendum had recently been distributed and announced his intention to defer decision on this application to allow time for its review.

Ms. Kelsey explained that the 13 lots proposed on the subject property would be compatible with Oak Farms, the adjacent subdivision. She noted that the applicant's consolidation efforts brought the application into compliance with the Comprehensive Plan as well as the development criteria for the PDH-2 District. She spoke about the concerns expressed by neighboring residents and explained how they had been addressed.

In response to questions from Commissioner Smyth, Ms. Kelsey clarified the noise attenuation measures outlined in Proffer 18 and the stormwater management provisions in Proffer 4.

Vice Chairman Byers called the first listed speaker and recited the rules for public testimony.

Mr. Gabe Paul, 12777 Oak Farms Drive, Herndon, representing the Oakton Woods Homeowners Association (OWHOA), spoke in support of the application. He commended the applicant for its work with the community and noted that the new residents would be invited to join OWHOA.

Ms. Gail Paul, 12777 Oak Farms Drive, Herndon, also supported the application.

There were no further speakers, Ms. Kelsey declined Vice Chairman Byers' offer to present a rebuttal statement and Mr. Burnszynski had no closing staff comments, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for a deferral motion. (A verbatim transcript is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER RZ/FDP-2002-HM-009, FOR DECISION ONLY, TO A DATE CERTAIN OF DECEMBER 12, 2002.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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CSP-C-696 - DSV DULLES FOX MILL LP - Appl. under Sect. 12-210 of the Zoning Ordinance for approval of a Comprehensive Sign Plan for mixed-use development approved in RZ C-696. Located in the S.E. quadrant of the intersection of Fox Mill Rd. and Horsepen Rd. on approx. 63.12 ac. of land zoned PDC. Tax Map 15-4 ((5)) 2, 3, 4, 5, 7, 8 and 16-1 ((25)) 1 and 6. HUNTER MILL DISTRICT.  
PUBLIC HEARING.

Ms. Elizabeth Baker, a planner with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated November 18, 2002. There were no disclosures by Commission members.

Mr. Fran Burnszynski, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Baker stated that construction was about to begin at Dulles Station, a 63-acre development zoned PDC. She added that the applicant wanted coordinated and aesthetically pleasing signage and therefore was proposing this sign plan, prepared for the applicant by RTKL Associates. She concurred with the proposed development conditions, with the exception of Condition 4 relating to the primary identification sign on Sunrise Valley Drive which she felt was unnecessary. She noted that the application had citizen support.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was needed and Mr. Burnszynski had no closing staff comments.

In response to a question from Commissioner de la Fe, Ms. Baker confirmed that Condition 4 was the only condition to which the applicant objected.

Commissioner de la Fe also objected to Condition 4 because it conflicted with the desires of the citizens who had worked on this application. He announced his intention to defer decision.

There being no further comments or questions from the Commission, Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for a deferral motion. (A verbatim excerpt is in the date file.)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER CSP-C-696, FOR DECISION ONLY, TO A DATE CERTAIN OF JANUARY 9, 2003.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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2232-D02-29 - VERIZON WIRELESS - Appl. to establish a telecommunications facility, consisting of an 100-ft. tall monopole, panel antennas, and equipment shelter within the Va. Dept. of Transportation (VDOT) right-of-way near the on ramp from the Dulles Airport Access Rd to I-495, northbound in McLean. Tax Map 30-1 (VDOT). DRANESVILLE DISTRICT. PUBLIC HEARING.

Mr. David Marshall, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Frank Stearns, Esquire, with Venable, Baetjer and Howard, explained that another site had been approved for this proposed telecommunications facility, but a problem with ownership of the land arose, necessitating relocation. He added that a title search had been conducted on the subject property to ensure that ownership would not be an issue in this case and noted that the existing facility would be removed as soon as the new one was operational.

Vice Chairman Byers called for speakers from the audience.

Mr. John Foust, 1311 Timberley Lane, McLean, representing the Timberley Homeowners Association, spoke in support of this application. He presented background information on telecommunications facilities in the area.

In response to questions from Commissioner DuBois, Mr. Stearns said he expected to have the new facility in place in the spring of 2003.

There were no further speakers and Mr. Stearns declined to make a rebuttal statement.. Mr. Marshall had no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner DuBois for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION DETERMINE, IN ACCORDANCE WITH SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED, THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY VERIZON WIRELESS, NEAR THE ON RAMP FROM THE DULLES AIRPORT ACCESS ROAD TO 1-495 NORTHBOUND IN MCLEAN, BE FOUND SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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RZ-2002-BR-017/FDP-2002-BR-017 - EASTWOOD PROPERTIES, INC. - Appls. to rezone from R-1 and R-3 to PDH-3 to permit residential development at a density of 2.49 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the N. side of Zion Dr., approx. 200 ft. E. of its intersection with Roberts Rd. on approx. 17.25 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 68-4 ((1)) 13, 15, 16, 23 – 26, 29, 30A, 30B, 31, 32B, 32C, 33 and 68-4 ((9)) H. BRADDOCK DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed, Smith, Hazel, and Thomas, reaffirmed the affidavit dated November 18, 2002. There were no disclosures by Commission members.

In response to a question from Commissioner Harsel, Mr. Lawrence explained that Richard Labbe was listed on the first page of the affidavit because he was an agent for Eastwood Properties, Inc., but was not listed on the second page because he was not an owner of that corporation.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended denial of the application because it lacked sufficient on-site amenities, open space or tree save areas. He added that the substandard vertical alignment for Zion Drive and off-site trail improvements had not been addressed.

Commissioner Harsel announced her intention to defer decision to allow time to resolve outstanding issues.

In response to questions from Commissioner Harsel, Mr. Mayland explained that only a small percentage of the applicant's proposed open space would be readily accessible and usable.

Mr. Lawrence spoke about the applicant's efforts to meet staff's concerns. He maintained that the applicant was not given credit for the following points in staff's evaluation of compliance with the development criteria:

- dedication of land to the Park Authority;
- provision of stormwater management beyond Ordinance requirements;
- contributions to road improvements not generated by the proposed development; and
- contributions to schools.

He disputed staff's claim that the proposed entrance was sub-standard, noting that the entrance had been approved by Virginia Department of Transportation (VDOT). He stated that the design changes made to meet staff and citizens concerns included an open space, landscaped buffer along the perimeter of the site adjacent to existing residences and enlargement of lot sizes. He explained the applicant's stormwater management plans.

In response to a question from Commissioner Harsel, Mr. Lawrence said he was aware that a decision would not be made on this application tonight. Commissioner Harsel then asked Mr. Lawrence to sum up his presentation.

Mr. Lawrence concluded by stating that 14 parcels had been consolidated for this development and he believed it had good access and internal circulation.

Vice Chairman Byers called for speakers from the audience on this case.

Mr. Mark Roberts, 5316 Windsor Hills Drive, Fairfax, spoke in opposition to the application. He concurred with staff's conclusions and suggested that the contour of the property should be preserved.

There being no further speakers, Vice Chairman Byers called upon Mr. Lawrence for rebuttal.

Mr. Lawrence explained that County environmental and engineering staff had walked the property with the applicant's representatives and determined that vegetation in the existing swale was deteriorating through erosion, causing sedimentation and was not worthy of preservation. He added that deteriorating swale as well as the required internal circulation with public streets and interparcel access dictated a lot of the site design. He expressed his willingness to continue to work with Commissioner Harsel, staff and citizens to address outstanding issues.

Mr. Mayland had no closing staff comments, but pointed out that Mr. Chuck Almquist, Department of Transportation, was present to answer questions.

In response to a request from Commissioner Harsel, Mr. Almquist explained the sight distance for traffic exiting the proposed development on Zion Drive was adequate because it was at the top of a hill, but left-turning traffic entering the site would encounter a more difficult situation.

In response to questions from Commissioner Harsel, Mr. Mayland outlined the road improvements proffered by the applicant. He explained, however, that any improvements made prior to the lowering of Zion Drive would have to be removed when the road was lowered, in which case the applicant's additional contribution would be insufficient.

Commissioner Alcorn commented that this application was one of the first to be evaluated under the new residential development criteria. He announced his intention to carry with him a copy of his comments during the markup of those criteria to forestall questions regarding intent.

Commissioner Harsel commented on the length of negotiations and difficulties this case presented. She reiterated her intent to defer decision to allow time for more discussion.

There being no further comments or questions from the Commission, Vice Chairman Byers closed the public hearing and recognized Commissioner Harsel for a deferral motion.  
(A verbatim transcript is in the date file.)

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Commissioner Harsel MOVED THAT WE DEFER DECISION ONLY TO A DATE CERTAIN OF JANUARY 29, 2003.

Commissioner Smyth seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS SET A HEARING DATE OF THE FIRST BOARD DATE FOLLOWING THE PLANNING COMMISSION DECISION.

Commissioner Smyth seconded the motion which carried unanimously with Commissioners Hall, Kelso, Murphy and Wilson absent from the meeting.

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ADJOURNMENT

December 11, 2002

The meeting was adjourned at 9:25 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: September 9, 2004

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Linda B. Rodeffer, Clerk to the  
Fairfax County Planning Commission